

**ORIGINAL**

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Nevada Bar # 001396  
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4 Las Vegas, Nevada 89101  
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DISTRICT OF NEVADA

BY my DEPUTY

6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8  
9 SERVICE EMPLOYEES  
INTERNATIONAL UNION; RICHARD  
10 FLETCHER; STEVE ZAHN; MICHAEL  
ELGAS; WILLIAM CALDWELL; JIM  
11 STEVENS; DEBRA MCGRATH; LARRY  
G. LAWRENCE; MICHAEL J. SMITH;  
12 TOM DREES; PETE SUTTON; CHARLIE  
ROSS; SAMUEL L. GRAFF; MELCHOR  
13 GODINEZ; ARMANDO GUEVARRA;  
ALEXANDER  
14 OSTROM; MICHAEL LEPCZYK; GLEN  
ALLEN AUSTIN; HAROLD T. DALY;  
15 CLIFFORD KEALOHA; DARRELL  
PETERSON; LEO K. PERREIRA; BRAD  
16 STASIK; ANDREW SALAZAR; CHARLES  
BAKER; WALT LINKFIELD; RICHARD  
17 MROZEK; KENNETH R. DREFFS; ROGER  
SOWINSKI; DAVID SIZEMORE;  
18 FROILAN SANCHEZ; MILES RODELA;  
NORMA SEGISMAR; GARY  
19 VENEKLASSEN; MARY RIEBEL; MARIEL  
WALLACE; RICHARD COVELSKI;  
20 CORAZON REINHARD; ALFONSO  
RAZO-PADILLA; PETRONILLA McCOY;  
21 NORMA WORMALD; GUADALUPE  
MIRANDA; TONY COX; DONALD  
22 SHELLNBARGER, SR.; RAFAEL  
HERNANDEZ; IVA BUCK; LINDA NALE;  
23 EVELINE FLATER; HELEN BURDINE;  
MARIA GARCIA; BLESILDA  
24 FONTILLAS; ROBERT BEATTY; PAUL  
WHITE; JANICE SWENSON; MAUREEN  
25 ALLRED; SAMUEL DAVIS; PATRICIA  
FOREMAN; STEVEN WOODS; GLENN

CV-S-03-1356-LRH-LRL

**COMPLAINT FOR MONEY DAMAGES**  
**AND FOR DECLARATORY**  
**JUDGMENT**

**(DEMAND FOR JURY TRIAL)**

1 GAMATERO; GUY RAMISCAL; ROBERT  
 2 RICHTER; ROBERT LOVELL; RAMON  
 3 PANALIGAN; MICHAEL SHEARER;  
 4 TOMAS EPLING; KALALI NOLASCO;  
 5 NILDA JACOBS; TYLER WEISS;  
 6 WENTWORTH EATHERTON; DENNIS  
 7 NOWAK; ALLEN AUSTIN, JR.; MAC  
 8 MOORE; BRIAN SCHREUR; WILLIAM  
 9 HOOPII; MICHAEL MASSEY; TIMOTHY  
 10 VOLZ; VINCENT BARILE; TODD  
 11 YOUNG; JOSEPH GARGIULO; RAFAEL  
 12 MENDOZA- MIRANDA; MARK  
 13 CARLOS; CARL TEMPLE; MICHAEL  
 14 DeVINNEY; JOSEPH MASTROMAURO;  
 15 REX WHITE; MICHAEL DAVIS. JOHN  
 16 THORPE; JOSEPH MELNIK; FRED DAY;  
 17 BRUCE GRAHAM; ROBERT ENGLISH;  
 18 MICHAEL WALLENSACK; LAWRENCE  
 19 AUGUSTINE; FAYE SIMONS; WILLIAM  
 20 THEOBALD; JERRY GILLILAND;  
 21 RAYMOND GARGIULO; TERRENCE  
 22 MAZUR; CLIFFORD JOHNSON; JEFF  
 23 TIMMERWILKE; STANLEY YOUNG;  
 24 KENNETH MAIN; RONALD CARRIER;  
 25 NEBUCCHADNEZAR GATCHALIAN;  
 26 JOSE ALVAREZ; JAMES SKINNER;  
 27 HENRY MITCHELL; LETECIA MANTOR;  
 28 DANIEL GULLI, JR.; ANTHONY  
 FREITAS; ROBERT ABELL; RUBEN  
 BASYE; DONALD BALDWIN; JUNE  
 RINGLER; STEPHEN LUCAS; DOUGLAS  
 MEDBERRY, JR.; DOUGLAS WILKS;  
 KELLY SIMONS; CURTIS McQUOID;  
 LIDGE ALBRIGHT; BOYET GALO, JR.;  
 STUART BAKER; KENNETH BARNETT;  
 DANIEL COOPER; ASCENCION  
 GUTIERREZ; ALFREDO MIRANDA;  
 BENJAMIN TAN; RONNIE ROWLAND;  
 FRANK HOOPER; JAMES SLOAN;  
 MIGUEL MENDOZA, JR.; JEFFREY RAY;  
 KEITH REINHARD; FLOYD MARSH;  
 RANDOLPH LANDIS; RUSSELL  
 SEEMAN; GREGORY BAKER; CALVIN  
 BARRINGER; JEFFREY REBER; JOSE  
 MANGUAL; STEVEN BROWN; MICHAEL  
 GALARNEAU; WILLIE SMITH; JAMES  
 OSWALD; CARLOS KALESA; AUSTINO  
 OLIGO, JR.; JUDY GREEN; DANIEL  
 RATH; MARK GERHARDSON; RICHARD

1 ROBERTS; DOREEN HOFFMAN; NANCY  
2 PURNEY;

3 Plaintiffs,

4 v.  
5 LAS VEGAS CONVENTION AND  
6 VISITORS AUTHORITY and DOES I  
through X and ROE CORPORATIONS  
I through X,

7 Defendants.  
8

9 Plaintiffs, employees of the LAS VEGAS CONVENTION AND VISITORS AUTHORITY ("the LVCVA"), by and through their attorneys, MATTHEW Q. CALLISTER, ESQ., and WILLIAM H. BROWN, ESQ., of the law firm of CALLISTER & REYNOLDS, hereby respectfully represent the following as their complaint against Defendants as follows:

13 1. This is an action for unpaid overtime compensation, liquidated damages, declaratory relief, costs and attorneys' fees pursuant to the Fair Labor Standards Act "(FLSA)", 29 U.S.C. § 201, *et seq.*, and the Federal Declaratory Judgment Act, 28 U.S.C. § 2201, *et seq.*

16 **JURISDICTION AND VENUE**

17 2. The Court has jurisdiction over the claims asserted in this Complaint pursuant to 28 U.S.C. § 1331.

19 3. Venue is proper in this Court because all of the acts complained of arose within this judicial district.

21 **PARTIES**

22 4. Plaintiff RICHARD FLETCHER is employed by The LVCVA as a Plumber and is a resident of Nevada.

24 5. Plaintiff STEVE ZAHN is employed by The LVCVA as a Grounds Keeper and is a resident of Nevada.

26 6. Plaintiff MICHAEL ELGAS is employed by The LVCVA as a Grounds Keeper and is a resident of Nevada.

1           7. Plaintiff WILLIAM CALDWELL is employed by The LVCVA as a Security Officer and is  
2 a resident of Nevada.

3           8. Plaintiff JIM STEVENS is employed by The LVCVA as a Security Officer and is a resident  
4 of Nevada.

5           9. Plaintiff DEBRA McGRATH is employed by The LVCVA as a Plumber and is a resident of  
6 Nevada.

7           10. Plaintiff LARRY G. LAWRENCE is employed by The LVCVA as a Security Officer and  
8 is a resident of Nevada.

9           11. Plaintiff MICHAEL J. SMITH is employed by The LVCVA as a Grounds Keeper and is a  
10 resident of Nevada.

11           12. Plaintiff TOM DREES is employed by The LVCVA as a Security Officer and is a resident  
12 of Nevada.

13           13. Plaintiff PETE SUTTON is employed by The LVCVA as a Services Supervisor and is a  
14 resident of Nevada.

15           14. Plaintiff CHARLIE ROSS is employed by The LVCVA as a Grounds Keeper and is a  
16 resident of Nevada.

17           15. Plaintiff SAMUEL L. GRAFF is employed by The LVCVA as a Carpenter and is a resident  
18 of Nevada.

19           16. Plaintiff MELCHOR GODINEZ is employed by The LVCVA as a Grounds Keeper and is  
20 a resident of Nevada.

21           17. Plaintiff ARMANDO GUEVARRA is employed by The LVCVA as a Security Officer and  
22 is a resident of Nevada.

23           18. Plaintiff ALEXANDER OSTROM is employed by The LVCVA as a Grounds Keeper and  
24 is a resident of Nevada.

25           19. Plaintiff MICHAEL LEPCZYK is employed by The LVCVA as a Grounds Keeper and is  
26 a resident of Nevada.

27           20. Plaintiff GLEN ALLEN AUSTIN is employed by The LVCVA as a Groundskeeper and is  
28 a resident of Nevada.

          21. Plaintiff HAROLD T. DALY is employed by The LVCVA as a Safety Coordinator and is

1 a resident of Nevada.

2 22. Plaintiff CLIFFORD KEALOHA is employed by The LVCVA as a Security Officer and is  
3 a resident of Nevada.

4 23. Plaintiff DARRELL PETERSON is employed by The LVCVA in Security and is a resident  
5 of Nevada.

6 24. Plaintiff LEO K. PERREIRA is employed by The LVCVA as a Seargent and is a resident  
7 of Nevada.

8 25. Plaintiff BRAD STASIK is employed by The LVCVA as a Safety Coordinator and is a  
9 resident of Nevada.

10 26. Plaintiff ANDREW SALAZAR is employed by The LVCVA as a Groundskeeper and is a  
11 resident of Nevada.

12 27. Plaintiff CHARLES BAKER is employed by The LVCVA as a Grounds Supervisor and is  
13 a resident of Nevada.

14 28. Plaintiff WALT LINKFIELD is employed by The LVCVA as a Security Supervisor and is  
15 a resident of Nevada.

16 29. Plaintiff RICHARD MROZEK is employed by The LVCVA as a Security Officer and is a  
17 resident of Nevada.

18 30. Plaintiff KENNETH R. DREFS is employed by The LVCVA as a Security Officer and is  
19 a resident of Nevada.

20 31. Plaintiff ROGER SOWINSKI is employed by The LVCVA as a Security Officer and is a  
21 resident of Nevada.

22 32. Plaintiff DAVID SIZEMORE is employed by The LVCVA as a Security Officer and is a  
23 resident of Nevada.

24 33. Plaintiff FROILAN SANCHEZ is employed by The LVCVA as a Security Officer and is  
25 a resident of Nevada.

26 34. Plaintiff MILES RODELA is employed by The LVCVA as a Services Shift Supervisor and  
27 is a resident of Nevada.

28 35. Plaintiff NORMA SEGISMAR is employed by The LVCVA as a Custodian and is a resident  
of Nevada.

1           36. Plaintiff GARY VENEKLASSEN is employed by The LVCVA as a Custodian and is a  
2 resident of Nevada.

3           37. Plaintiff MARY RIEBEL is employed by The LVCVA as a Custodian and is a resident of  
4 Nevada.

5           38. Plaintiff MARIEL WALLACE is employed by The LVCVA as a Custodian and is a resident  
6 of Nevada.

7           39. Plaintiff RICHARD COVELSKI is employed by The LVCVA as a Custodian and is a  
8 resident of Nevada.

9           40. Plaintiff CORAZON REINHARD is employed by The LVCVA as a Custodian and is a  
10 resident of Nevada.

11           41. Plaintiff ALFONSO RAZO-PADILLA is employed by The LVCVA as a Custodian and is  
12 a resident of Nevada.

13           42. Plaintiff PETRONILLA McCOY is employed by The LVCVA as a Custodian and is a  
14 resident of Nevada.

15           43. Plaintiff NORMA WORMALD is employed by The LVCVA as a Custodian and is a  
16 resident of Nevada.

17           44. Plaintiff GUADALUPE MIRANDA is employed by The LVCVA as a Custodian and is a  
18 resident of Nevada.

19           45. Plaintiff TONY COX is employed by The LVCVA as a Custodian and is a resident of  
20 Nevada.

21           46. Plaintiff DONALD SHELLNBARGER, SR., is employed by The LVCVA as a Custodian  
22 and is a resident of Nevada.

23           47. Plaintiff RAFAEL HERNANDEZ is employed by The LVCVA as a Custodian and is a  
24 resident of Nevada.

25           48. Plaintiff IVA BUCK is employed by The LVCVA as a Custodian and is a resident of  
26 Nevada.

27           49. Plaintiff LINDA NALE is employed by The LVCVA as a Custodian and is a resident of  
28 Nevada.

          50. Plaintiff EVELINE FLATER is employed by The LVCVA as a Custodian and is a resident

1 of Nevada.

2 51. Plaintiff HELEN BURDINE is employed by The LVCVA as a Custodian and is a resident  
3 of Nevada.

4 52. Plaintiff MARIA GARCIA is employed by The LVCVA as a Custodian and is a resident of  
5 Nevada.

6 53. Plaintiff BLESILDA FONTILLAS is employed by The LVCVA as a Custodian and is a  
7 resident of Nevada.

8 54. Plaintiff ROBERT BEATTY is employed by The LVCVA as a Custodian and is a resident  
9 of Nevada.

10 55. Plaintiff PAUL WHITE is employed by The LVCVA as a Custodian and is a resident of  
11 Nevada.

12 56. Plaintiff JANICE SWENSON is employed by The LVCVA as a Custodian and is a resident  
13 of Nevada.

14 57. Plaintiff MAUREEN ALLRED is employed by The LVCVA as a Custodian and is a resident  
15 of Nevada.

16 58. Plaintiff SAMUEL DAVIS is employed by The LVCVA as a Custodian and is a resident of  
17 Nevada.

18 59. Plaintiff PATRICIA FOREMAN is employed by The LVCVA as a Custodian and is a  
19 resident of Nevada.

20 60. Plaintiff STEVEN WOODS is employed by The LVCVA as a Custodian and is a resident  
21 of Nevada.

22 61. Plaintiff GLENN GAMATERO is employed by The LVCVA as a Custodian and is a  
23 resident of Nevada.

24 62. Plaintiff GUY RAMISCAL is employed by The LVCVA as a Custodian and is a resident  
25 of Nevada.

26 63. Plaintiff ROBERT RICHTER is employed by The LVCVA as a Custodian and is a resident  
27 of Nevada.

28 64. Plaintiff ROBERT LOVELL is employed by The LVCVA as a Custodian and is a resident  
of Nevada.

1           65. Plaintiff RAMON PANALIGAN is employed by The LVCVA as a Custodian and is a  
2 resident of Nevada.

3           66. Plaintiff MICHAEL SHEARER is employed by The LVCVA as a Custodian and is a  
4 resident of Nevada.

5           67. Plaintiff TOMAS EPLING is employed by The LVCVA as a Custodian and is a resident of  
6 Nevada.

7           68. Plaintiff KANALI NOLASCO is employed by The LVCVA as a Custodian and is a resident  
8 of Nevada.

9           69. Plaintiff NILDA JACOBS is employed by The LVCVA as a Custodian and is a resident of  
10 Nevada.

11           70. Plaintiff TYLER WEISS is employed by The LVCVA as a Custodian and is a resident of  
12 Nevada.

13           71. Plaintiff WENTWORTH EATHERTON is employed by The LVCVA as a Custodian and  
14 is a resident of Nevada.

15           72. Plaintiff DENNIS NOWAK is employed by The LVCVA as a Graphics Specialist and is a  
16 resident of Nevada.

17           73. Plaintiff ALLEN AUSTIN, JR., is employed by The LVCVA as a Groundskeeper and is a  
18 resident of Nevada.

19           74. Plaintiff MAC MOORE is employed by The LVCVA as a Groundskeeper and is a resident  
20 of Nevada.

21           75. Plaintiff BRIAN SCHREUR is employed by The LVCVA as a Groundskeeper and is a  
22 resident of Nevada.

23           76. Plaintiff WILLIAM HOOPII is employed by The LVCVA as a Groundskeeper and is a  
24 resident of Nevada.

25           77. Plaintiff MICHAEL MASSEY is employed by The LVCVA as a Safety Coordinator and is  
26 a resident of Nevada.

27           78. Plaintiff TIMOTHY VOLZ is employed by The LVCVA as a Safety Coordinator and is a  
28 resident of Nevada.

          79. Plaintiff VINCENT BARILE is employed by The LVCVA as a Painter and is a resident of



1 Nevada.

2 80. Plaintiff TODD YOUNG is employed by The LVCVA as a Painter and is a resident of  
3 Nevada.

4 81. Plaintiff JOSEPH GARGIULO is employed by The LVCVA as a Painter and is a resident  
5 of Nevada.

6 82. Plaintiff RAFAEL MENDOZA-MIRANDA is employed by The LVCVA as a Painter and  
7 is a resident of Nevada.

8 83. Plaintiff MARK CARLOS is employed by The LVCVA as a Painter and is a resident of  
9 Nevada.

10 84. Plaintiff CARL TEMPLE is employed by The LVCVA as a Painter and is a resident of  
11 Nevada.

12 85. Plaintiff MICHAEL DeVINNEY is employed by The LVCVA as a Painter and is a resident  
13 of Nevada.

14 86. Plaintiff JOSEPH MASTROMAURO is employed by The LVCVA as a Painter and is a  
15 resident of Nevada.

16 87. Plaintiff REX WHITE is employed by The LVCVA as a Painter Supervisor and is a resident  
17 of Nevada.

18 88. Plaintiff MICHAEL DAVIS is employed by The LVCVA as a Plumber and is a resident of  
19 Nevada.

20 89. Plaintiff JOHN THORPE is employed by The LVCVA as a Plumber and is a resident of  
21 Nevada.

22 90. Plaintiff JOSEPH MELNIK is employed by The LVCVA as a Plumber and is a resident of  
23 Nevada.

24 91. Plaintiff FRED DAY is employed by The LVCVA as a Plumber and is a resident of Nevada.

25 92. Plaintiff BRUCE GRAHAM is employed by The LVCVA as a Plumber and is a resident of  
26 Nevada.

27 93. Plaintiff ROBERT ENGLISH is employed by The LVCVA as a Plumber Supervisor and is  
28 a resident of Nevada.

94. Plaintiff MICHAEL WALLENSACK is employed by The LVCVA as a Security Officer and

1 is a resident of Nevada.

2 95. Plaintiff LAWRENCE AUGUSTINE is employed by The LVCVA as a Security Officer and  
3 is a resident of Nevada.

4 96. Plaintiff FAYE SIMONS is employed by The LVCVA as a Security Officer and is a resident  
5 of Nevada.

6 97. Plaintiff WILLIAM THEOBALD is employed by The LVCVA as a Security Officer and is  
7 a resident of Nevada.

8 98. Plaintiff JERRY GILLILAND is employed by The LVCVA as a Security Officer and is a  
9 resident of Nevada.

10 99. Plaintiff RAYMOND GARGIULO is employed by The LVCVA as a Security Officer and  
11 is a resident of Nevada.

12 100. Plaintiff TERRENCE MAZUR is employed by The LVCVA as a Security Officer and is  
13 a resident of Nevada.

14 101. Plaintiff CLIFFORD JOHNSON is employed by The LVCVA as a Security Sergeant and  
15 is a resident of Nevada.

16 102. Plaintiff JEFF TIMMERWILKE is employed by The LVCVA as a Security Sergeant and  
17 is a resident of Nevada.

18 103. Plaintiff STANLEY YOUNG is employed by The LVCVA as a Security Sergeant and is  
19 a resident of Nevada.

20 104. Plaintiff KENNETH MAIN is employed by The LVCVA as a Visitors Information Clerk  
21 and is a resident of Nevada.

22 105. Plaintiff RONALD CARRIER is employed by The LVCVA as a Service Worker and is a  
23 resident of Nevada.

24 106. Plaintiff NEBUCCHADNEZAR GATCHALIAN is employed by The LVCVA as a  
25 Service Worker and is a resident of Nevada.

26 107. Plaintiff JOSE ALVAREZ is employed by The LVCVA as a Service Worker and is a  
27 resident of Nevada.

28 108. Plaintiff JAMES SKINNER is employed by The LVCVA as a Service Worker and is a  
resident of Nevada.

1           109. Plaintiff HENRY MITCHELL is employed by The LVCVA as a Service Worker and is a  
2 resident of Nevada.

3           110. Plaintiff LETECIA MANTOR is employed by The LVCVA as a Service Worker and is a  
4 resident of Nevada.

5           111. Plaintiff DANIEL GULLI, JR., is employed by The LVCVA as a Service Worker and is  
6 a resident of Nevada.

7           112. Plaintiff ANTHONY FREITAS is employed by The LVCVA as a Service Worker and is  
8 a resident of Nevada.

9           113. Plaintiff ROBERT ABELL is employed by The LVCVA as a Service Worker and is a  
10 resident of Nevada.

11           114. Plaintiff RUBEN BASYE is employed by The LVCVA as a Service Worker and is a  
12 resident of Nevada.

13           115. Plaintiff DONALD BALDWIN is employed by The LVCVA as a Service Worker and is  
14 a resident of Nevada.

15           116. Plaintiff JUNE RINGLER is employed by The LVCVA as a Service Worker and is a  
16 resident of Nevada.

17           117. Plaintiff STEPHEN LUCAS is employed by The LVCVA as a Service Worker and is a  
18 resident of Nevada.

19           118. Plaintiff DOUGLAS MEDBERRY, JR., is employed by The LVCVA as a Service Worker  
20 and is a resident of Nevada.

21           119. Plaintiff DOUGLAS WILKS is employed by The LVCVA as a Service Worker and is a  
22 resident of Nevada.

23           120. Plaintiff KELLY SIMONS is employed by The LVCVA as a Service Worker and is a  
24 resident of Nevada.

25           121. Plaintiff CURTIS McQUOID is employed by The LVCVA as a Service Worker and is a  
26 resident of Nevada.

27           122. Plaintiff LIDGE ALBRIGHT is employed by The LVCVA as a Service Worker and is a  
28 resident of Nevada.

          123. Plaintiff BOYET GALO, JR., is employed by The LVCVA as a Service Worker and is a

1 resident of Nevada.

2 124. Plaintiff STUART BAKER is employed by The LVCVA as a Service Worker and is a  
3 resident of Nevada.

4 125. Plaintiff KENNETH BARNETT is employed by The LVCVA as a Service Worker and is  
5 a resident of Nevada.

6 126. Plaintiff DANIEL COOPER is employed by The LVCVA as a Service Worker and is a  
7 resident of Nevada.

8 127. Plaintiff ASCENCION GUTIERREZ is employed by The LVCVA as a Service Worker and  
9 is a resident of Nevada.

10 128. Plaintiff ALFREDO MIRANDA is employed by The LVCVA as a Service Worker and  
11 is a resident of Nevada.

12 129. Plaintiff BENJAMIN TAN is employed by The LVCVA as a Service Worker and is a  
13 resident of Nevada.

14 130. Plaintiff RONNIE ROWLAND is employed by The LVCVA as a Service Worker and is  
15 a resident of Nevada.

16 131. Plaintiff FRANK HOOPER is employed by The LVCVA as a Service Worker and is a  
17 resident of Nevada.

18 132. Plaintiff JAMES SLOAN is employed by The LVCVA as a Service Worker and is a  
19 resident of Nevada.

20 133. Plaintiff MIGUEL MENDOZA, JR., is employed by The LVCVA as a Service Worker  
21 and is a resident of Nevada.

22 134. Plaintiff JEFFREY RAY is employed by The LVCVA as a Service Worker and is a  
23 resident of Nevada.

24 135. Plaintiff KEITH REINHARD is employed by The LVCVA as a Service Worker and is  
25 a resident of Nevada.

26 136. Plaintiff FLOYD MARSH is employed by The LVCVA as a Service Worker and is a  
27 resident of Nevada.

28 137. Plaintiff RANDOLPH LANDIS is employed by The LVCVA as a Service Worker and  
is a resident of Nevada.

1           138. Plaintiff RUSSELL SEEMAN is employed by The LVCVA as a Service Worker and is  
2 a resident of Nevada.

3           139. Plaintiff GREGORY BAKER is employed by The LVCVA as a Service Worker and is  
4 a resident of Nevada.

5           140. Plaintiff CALVIN BARRINGER is employed by The LVCVA as a Service Worker and  
6 is a resident of Nevada.

7           141. Plaintiff JEFFREY REBER is employed by The LVCVA as a Service Worker and is a  
8 resident of Nevada.

9           142. Plaintiff JOSE MANGUAL is employed by The LVCVA as a Service Worker and is a  
10 resident of Nevada.

11           143. Plaintiff STEVEN BROWN is employed by The LVCVA as a Service Worker and is a  
12 resident of Nevada.

13           144. Plaintiff MICHAEL GALARNEAU is employed by The LVCVA as a Service Worker  
14 and is a resident of Nevada.

15           145. Plaintiff WILLIE SMITH is employed by The LVCVA as a Service Worker and is a  
16 resident of Nevada.

17           146. Plaintiff JAMES OSWALD is employed by The LVCVA as a Service Worker and is a  
18 resident of Nevada.

19           147. Plaintiff CARLOS KALESA is employed by The LVCVA as a Service Worker and is a  
20 resident of Nevada.

21           148. Plaintiff FAUSTINO OLIGO, JR., is employed by The LVCVA as a Service Worker and  
22 is a resident of Nevada.

23           149. Plaintiff JUDY GREEN is employed by The LVCVA as a Service Worker and is a resident  
24 of Nevada.

25           150. Plaintiff DANIEL RATH is employed by The LVCVA as a Service Worker and is a  
26 resident of Nevada.

27           151. Plaintiff MARK GERHARDSON is employed by The LVCVA as a Service Worker and  
28 is a resident of Nevada.

          152. Plaintiff RICHARD ROBARTS is employed by The LVCVA as a Service Worker and

1 is a resident of Nevada.

2 153. Plaintiff DOREEN HOFFMAN is employed by The LVCVA as a Secretary and is a  
3 resident of Nevada.

4 154. Plaintiff NANCY PURNEY is employed by The LVCVA as an Administrative Specialist  
5 and is a resident of Nevada.

6 155. The LVCVA is a public agency in an enterprise subject to the requirements of the Fair  
7 Labor Standards Act ( 29 U.S.C. § 201, *et. seq.*) (the "FLSA").

8 156. The true names and capacities, whether individual, agency, corporate, associate  
9 or otherwise, of Defendants, DOES I through X inclusive (hereinafter DOES), DOE  
10 AGENCIES I through X inclusive (hereinafter DOE AGENCIES), and ROE CORPORATIONS I  
11 through X inclusive (hereinafter ROE CORPORATIONS) are unknown to  
12 Plaintiffs. Plaintiffs will ask for leave of this Court to amend this Complaint to show the true  
13 names and capacities of these Defendants when they become known to Plaintiffs. Plaintiffs  
14 believes each Defendant named as a DOE, DOE AGENCY or ROE CORPORATION was  
15 responsible in some manner for the events and happenings stated and referred to herein.

### 16 17 **FACTUAL BACKGROUND**

18  
19 157. The LVCVA employed all of the Plaintiffs between the period of March 2000 and the  
20 present.

21 158. At all relevant times, the LVCVA has known that it was required to pay overtime  
22 compensation at the rate of one and one-half times the normal hourly rates to its employees who work  
23 more than 40 hours during a work week, unless such employees are exempt from the overtime  
24 requirements of the FLSA.

25 159. At all relevant times, the Plaintiffs were employees of The LVCVA within the meaning  
26 of the FLSA.

27 160. Plaintiffs are not employed in a bona fide executive, administrative or professional capacity  
28 within the meaning of the FLSA, and are not otherwise exempt from the overtime requirements of the  
FLSA.

1 161. During their employment between March 2000 and the present, each of the Plaintiffs  
 2 regularly and consistently worked more than 40 hours per work week with the knowledge of the  
 3 LVCVA.

4 162. The LVCVA suffered or permitted the Plaintiffs to work such overtime hours.

5 163. The LVCVA failed to pay the Plaintiffs such overtime compensation at a rate of one and  
 6 one-half times their normal hourly rates for any overtime hours they worked between March 2000 and  
 7 the present.

### 8 9 **VIOLATION OF FLSA OVERTIME PAY REQUIREMENTS**

10 164. Plaintiffs adopt and incorporate paragraphs 1 through 167 as though fully forth herein.

11 165. The LVCVA violated 29 U.S.C. § 207(a) by failing to pay Plaintiffs overtime compensation  
 12 at the rate of one and one-half times their normal hourly rates for overtime hours they worked between  
 13 March 2000 and the present.

14 166. The LVCVA's failure to pay Plaintiffs the overtime rate to which they were entitled under  
 15 the FLSA was willful.

16  
17 WHEREFORE, the Plaintiffs pray for a judgment against the Defendants:

18 1. In an amount to be proven at trial equal to unpaid overtime compensation mandated by 29  
 19 U.S.C. § 207(a);

20 2. In an equal amount representing liquidated damages as allowed under 29 U.S.C. § 216(b);

21 3. For a declaration pursuant to 28 U.S.C. § 2201, *et seq.*, that the Plaintiffs are employees  
 22 subject to all of the requirements of the FLSA, and are not exempt from the overtime requirements of  
 23 the FLSA;

24 ...

25  
26 ...

27  
28 ...

4. For attorneys' fees and costs as allowed under 29 U.S.C. § 216(b);
5. For prejudgment and post-judgment interest in accordance with applicable law; and
6. For such other relief as may seem appropriate to the Court under the circumstances of this

case.

DATED 10.30.03, 2003

Respectfully submitted,

**CALLISTER & REYNOLDS**

By: 

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